

PARAGRAPH 2 IS LIE

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES R. MCDONALD,

Plaintiff,

v.

BEDFORD/SOMERSET MHMR, a
administrative governmental agency, SANDY
SOTA, in both her professional and private
capacities, THERESA PALGUTTA, in both
her professional and private capacities,

Defendants.

) Civil Division

) No.: 3:09-cv-231

) Honorable Kim R. Gibson

) ELECTRONICALLY FILED

) THE COMPLAINT

WHO'S
NOT BE-
ING
TRUTHFUL
NURSES
WITNESSES TO
MY MOM &
MY GIRLFRIEND
SOME ENTITY CHANGED

TOLD TO "DRIVE TO SOMERSET HOSPITAL."

MOTION TO DISMISS PURSUANT TO Fed. R.Civ.P. 12(b)(5),(6) and 12(e)

TERESA
TOLD
MY
MOM
TO MEET
ME AT
SOMERSET
HOSPITAL
HAS
MENTAL
WARD

AND NOW comes the Defendants, Bedford-Somerset Mental Health and Mental
Retardation, Sandy Sota and Theresa Palgutta, by and through their attorneys, Cipriani &
Werner, P.C. and file this Motion to Dismiss, stating as follows:

1. Plaintiff, James R. McDonald, alleges Defendant, Bedford-Somerset Mental
Health and Mental Retardation, rendered treatment to him for Bi-Polar Disorder.

2. On or about September 1, 2001, Plaintiff allegedly contacted Defendant Bedford-
Somerset Mental Health and Mental Retardation and spoke with Defendant, Theresa Palgutta,
regarding an anxiety issue and was allegedly instructed to drive to a local hospital to receive
treatment.

THIS IS WRITTEN
UNTRUTH.

NOT LOCAL
32 MILES

3. On route to the hospital, police arrested Plaintiff due to his involvement in a
motor vehicle accident. THERESA PALGUTTA ADMITTED TO

4. Plaintiff filed suit on August 24, 2009, nearly eight years after his arrest, alleging

unspecified federal and state constitutional violations, fraud and false imprisonment.

ACTIONS AND DEEDS
SPEAK LOUDER THAN
WORDS. Jm

B.S.M.H.-M.R. CHANGED
MEDS. RIGHT
BEFORE 9-1-01
INCIDENT. Jm

MOM
MY
GIRL
FRIEND
WERE
SOM-
ERSET
HOSPITAL

ON 9-1-01
MY
MOM AND
GIRLFRIEND
WERE
WAITING
AT
SOMERSET
ER.
NURSES
ARE
WITNESSES.
Jm

TO: LAW OFFICE CAPRIANI + WARNER, P.C., DEFENDANT
 MC DONALD V. B.S.M.H.M.R. FOTO. PALENTA ETAL.

OAO 440 (Rev. 8/01) Summons in a Civil Action CASE 3:09-cv-00231-KRG 11/30/09

RETURN OF SERVICE

Service of the Summons and complaint was made by me(1)	DATE Nov. 27, 2009, About 2 P.M.
NAME OF SERVER (PRINT) Robert B. Warner	TITLE Food Service Worker

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served:
- ☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. SUMMONS SERVED AT PLACE OF EMPLOYMENT.

Name of person with whom the summons and complaint were left: NO NAMES GIVEN.
LEFT 3 SETS SUMMONS WITH TWO RECEPTIONISTS.
I HANDED SETS IN AT TRILOGY HOUSE, 123 GRANDVIEW

- ☐ Returned unexecuted: AVE. SOMERSET, PA 15501 (B.S.M.H.M.R.)
I SERVED SUMMONS BY HAND TO HAND.
245 W. RACE ST. BUILDING CLOSED AND LOCKED UP
ON FRIDAY NOV 27, 2009 (A NON-HOLIDAY)

☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on Nov 27, 2009

Date

Signature of Server

Address of Server

1302 Cambridge Ave
11112601, PA 15163

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

ENCLOSED: DOCUMENT 6, PAGE 1, PARAGRAPH 2 (4 WITNESSES)
 NOTE: FALSE HOOD, "DRIVE" TO LOCAL HOSPITAL
 FACT: TOLD TO DRIVE 32 MILES TO SOMERSET HOSPITAL

CASE NO. MC DONALD
3209
CV
231 B.S.M.H.MR, SOTTO,
PALCUTTA, ET AL

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Total:			\$3.68
Paid by:			
Cash			\$5.00
Change Due:			-\$1.32

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OFFICIAL USE

CASE NO. 3209
CV
231

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11/30/2009

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City, State, Zip+4 PITTSBURGH PA 15228

PS Form 3800, August 2006 See Reverse for Instructions